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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,333	11/08/2001	Su-Yi Chen	CHEN=332	5127

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 WASHINGTON, DC 20001-5303

EXAMINER

PHAM, TUAN

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/986,333	Applicant(s) CHEN ET AL.	
	Examiner TUAN A PHAM	Art Unit 2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities:

Claim 1 contains a period in line 3, 15, and 19. Each claim should begin with a capital letter and end with a period. Period may not be used elsewhere in the claims except for abbreviations. See MPEP 608.01 (m).

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of

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3. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (U.S. Patent No.: 6,700,956, hereinafter, "Chang") in view of Kikuchi (U.S. Patent No.: 5,812,646) and further in view of Eftechiou (U.S. Patent No.: 6,002,747).

Regarding claim 1, Chang teaches a telecommunication device (see figure 3, device 50) comprising:

the terminal at the first side of the said relay is connected to the telephone line tip/ring terminal (see figure 3, jack 30 connect to telephone line) and the terminal at the second side of the said relay is connected to the Public Services Telephone Network (PSTN) tip/ring terminal of the said microprocessor (see figure 3, DSP 42); as such, the telephone line tip/ring terminal is connected to the PSTN tip/ring terminal, but when the said relay is controlled into operation, the connection is switched to the Voice Over Internet Protocol (VOIP) tip/ring terminal of the said microprocessor; in other words, the connection of the telephone line tip/ring terminal is switched to the VOIP tip/ring terminal of the said microprocessor (see figure 3, DSP 42, col.5, ln.20-50, col.6, ln.1-44), an off-hook detection circuit connected to the said PSTN tip/ring terminal as well as a ring detection terminal of the said microprocessor that is utilized to ascertain telephone off-hook status and, furthermore, send a signal to the said ring detection terminal (see figure 3, off-hook detect 40, col.6, ln.1-20).

It should be noticed that Chang fails to clearly teach a microprocessor utilized to perform a predetermined operation and processing of a predetermined input signal and then output a corresponding signal, a minimum of one relay

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circuit that has an amplifier circuit and a relay; the input terminal of the said amplifier circuit is connected to the said microprocessor and its output terminal is connected to the signal input terminal of the said relay. However, Kikuchi teaches such features (see figure 4, control unit 15, amplifier A1, and A2, relay A1 and A2, col.4, ln.56-60) for a purpose of controlling the relays.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a microprocessor utilized to perform a predetermined operation and processing of a predetermined input signal and then output a corresponding signal, a minimum of one relay circuit that has an amplifier circuit and a relay; the input terminal of the said amplifier circuit is connected to the said microprocessor and its output terminal is connected to the signal input terminal of the said relay, as taught by Kikuchi, into view of Chang in order to provide the user a convenient to select the PSTN or internet services.

Chang and Kikuchi, in combination, fails to clearly teach a dummy load circuit (i.e., telephone privacy and alerting device) connected to the tip terminal and the ring terminal of the said PSTN. However, Eftechou teaches such features (see figure 2, rectifier 40, switch 36, Tip 16, Ring 18) for a purpose of converting AC to DC voltage, and vice versa.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a dummy load circuit (i.e., telephone line lockout apparatus) connected to the tip terminal and the ring terminal of the said PSTN, as taught by Eftechou, into view of Chang and Kikuchi

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in order to prevent the AC voltage goes through the line when the telephone is off-hook.

Regarding claim 2, Chang further teaches the telecommunications device of the invention herein, the present invention is also comprised of a manual switch that connects the telephone line circuit tip and ring terminals to the PSTN tip and ring terminals as well as the VOIP tip and ring terminals and which is utilized to provide the user optional manual toggling of the telephone line circuit connections between the PSTN terminals and the VOIP terminals (see col.6, ln.12-34).

Regarding claim 3, Eftechou further teaches the telecommunications device of the invention herein, the said dummy load circuit consists of a full-wave bridge rectifier circuit and a relay; one end of the said full-wave bridge rectifier circuit is connected to the ring terminal of the said PSTN and its other end is connected to the shunt terminal at one side of the said relay, while the shunt terminal at the other side of the said relay is connected to the PSTN tip terminal and the signal input terminal of the said relay is connected to the said microprocessor which controls continuity between the said ring and tip terminals (see figure 2, rectifier 40, switch 36, Tip 16, Ring 18).

Regarding claim 4, Eftechou further teaches the telecommunications device of the invention herein, the said off-hook detection circuit consists of two light emitting diodes in a positive-to-negative and negative-to-positive wiring arrangement and a phototransistor (see figure 6, LED 120, 140, phototransistor 152, col.12, ln.25-35).

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Campbell et al. (U.S. Patent No. 5,499,287), Murphy et al. (U.S. Patent No. 6,542,499), Smock et al. (U.S. Patent No. 6,377,668), and Szeliga (U.S. Patent No. 6,067,353) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s). These references are also concerned for supporting the system and method for detecting a call waiting signal on a telephone line connected to a modem.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan A. Pham** whose telephone number is (703) 305-4987. The examiner can normally be reached on Monday through Friday, 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz can be reached on (703) 305-4708 and

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Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2643
August 7, 2004
Examiner


DUC NGUYEN
PRIMARY EXAMINER

Tuan Pham